

ASSEMBLY BILL

No. 974

Introduced by Assembly Member Bloom

February 26, 2015

An act to amend Section 7150.35 of the Health and Safety Code, relating to anatomical gifts.

LEGISLATIVE COUNSEL'S DIGEST

AB 974, as introduced, Bloom. Uniform Anatomical Gift Act.

Existing law, the Uniform Anatomical Gift Act, regulates the making of anatomical gifts and the disposition of donated bodies and body parts. Existing law authorizes an individual who is between 15 and 18 years of age to, among other things, make an anatomical gift for any specified purpose only upon the written consent of his or her parent or guardian.

This bill would make technical, nonsubstantive changes to that provision.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 7150.35 of the Health and Safety Code
- 2 is amended to read:
- 3 7150.35. (a) Except as otherwise provided in subdivision (g)
- 4 and subject to subdivision (f), in the absence of an express, contrary
- 5 indication by the donor, a person other than the donor is barred
- 6 from making, amending, or revoking an anatomical gift of a
- 7 donor's body or part if the donor made an anatomical gift of the
- 8 donor's body or part under Section 7150.20 or an amendment to

1 an anatomical gift of the donor's body or part under Section
2 7150.25.

3 (b) A donor's revocation of an anatomical gift of the donor's
4 body or part under Section 7150.25 is not a refusal and does not
5 bar another person specified in Section 7150.15 or 7150.40 from
6 making an anatomical gift of the donor's body or part under Section
7 7150.20 or 7150.45.

8 (c) If a person other than the donor makes an unrevoked
9 anatomical gift of the donor's body or part under Section 7150.20
10 or an amendment to an anatomical gift of the donor's body or part
11 under Section 7150.25, another person may not make, amend, or
12 revoke the gift of the donor's body or part under Section 7150.45.

13 (d) A revocation of an anatomical gift of a donor's body or part
14 under Section 7150.25 by a person other than the donor does not
15 bar another person from making an anatomical gift of the body or
16 part under Section 7150.20 or 7150.45.

17 (e) In the absence of an express, contrary indication by the donor
18 or other person authorized to make an anatomical gift under Section
19 7150.15, an anatomical gift of a part is neither a refusal to give
20 another part nor a limitation on the making of an anatomical gift
21 of another part at a later time by the donor or another person.

22 (f) In the absence of an express, contrary indication by the donor
23 or other person authorized to make an anatomical gift under Section
24 7150.15, an anatomical gift of a part for one or more of the
25 purposes set forth in Section 7150.15 is not a limitation on the
26 making of an anatomical gift of the part for any of the other
27 purposes by the donor or any other person under Section 7150.20
28 or 7150.45.

29 (g) Notwithstanding subdivision (a), an individual who is
30 between 15 and 18 years of age may make an anatomical gift for
31 any purpose authorized in this chapter, ~~may~~ limit an anatomical
32 gift to one or more of those purposes, ~~may~~ refuse to make an
33 anatomical gift, or ~~may~~ amend or revoke an anatomical gift, only
34 upon the written consent of the parent or guardian. If a donor who
35 is an unemancipated minor dies, a parent of the donor who is
36 reasonably available may revoke or amend an anatomical gift of
37 the donor's body or part.